

HOUSE BILL 3112
By Casada

AN ACT to amend Tennessee Code Annotated, Title 29,
Chapter 16 and Title 29, Chapter 17, relative to
setbacks and takings.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 17, Part 12, is amended by
adding the following as a new, appropriately designated section:

29-17-12___. Notwithstanding any other provision of law to the contrary, the state
of Tennessee, its counties or municipalities, are hereby authorized and empowered to
establish or alter setback lines on private property with regard to streams. The governing
body of the county and municipality shall pass and put into effect such ordinances as
may be needed for the purpose of providing for a notice to and hearing of persons
whose property is affected by such establishment. In case of the exercise of any action
that limits the property owner's ability to use the property, provision shall be made for
ascertaining and paying just compensation for any damages caused as the result of
establishing such setback lines, as established in § 29-17-810.

SECTION 2. This act shall take effect July 1, 2006, the public welfare requiring it.